

resources, without a shred of common sense or realism.

Bombs are no substitute for diplomacy. You can bomb the world to pieces, but you can't bomb the world to peace.

COMMENDING 125TH ANNIVERSARY OF NORWOOD, NORTH CAROLINA IN STANLY COUNTY

(Mr. HAYES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYES. Madam Speaker, today I want to recognize the town of Norwood, North Carolina, for its 125th anniversary. Norwood has a rich and vibrant history as the area's earliest settlers arrived in the 1750s, and the town officially was incorporated in 1881.

In the beginning, Norwood was a town thriving on agriculture and newly established railroad lines. Local entrepreneur Troy J.W. McKenzie relocated his business to Norwood and commented that the town will very soon, unless indications are false, become an important trade center.

McKenzie was correct. In the 21st century, Norwood is the home of many local and international manufacturing companies, and this business-friendly environment has the potential for continued economic growth. Today I say congratulations to the town of Norwood for 125 years, many exciting years to come.

FEDERAL CONTRACTS AND SUDAN

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Madam Speaker, more than \$600 million of Federal contracts has gone to companies whose business in Sudan may directly or indirectly support the Sudanese Government's campaign of genocide in Darfur. No one should have to worry that their tax dollars are supporting genocide, and that is why I am introducing the Darfur Accountability and Divestment Act of 2006.

This bill is designed to wash the blood off of our Federal contracts and increase the financial pressure on Khartoum to end the genocide in Darfur. It also protects the rights of States to divest their own public pension funds from companies doing business in Sudan, because some in the other body insist on stripping that language out of the Darfur Peace and Accountability Act.

Divestment played a critical role in ending apartheid in South Africa, and it is unconscionable that anyone in Congress would try to prevent people from washing the blood from their pensions and doing their part to end this genocide. We have a moral responsibility to use every tool at our disposal to end this genocide.

I call on my colleagues to cosponsor my bill and support the growing national divestment movement.

PROTECT OUR BORDERS

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, it has been more than 5 years since the terrorist attacks on September 11. In looking back, we have made great progress in uprooting the terrorists from their havens and liberating millions of people. We also have provided our law enforcement and intelligence agencies with new tools to combat these threats. Yet there is so much more to do. We are at war with terrorists, and we must protect our borders.

If we cannot control our borders, how can we prevent those who would murder us from entering our Nation? Millions attempt to enter our Nation illegally every year. Many are apprehended.

I commend our Border Patrol for their fine work under difficult situations; however, millions have crossed the border successfully in the past 5 years, and we do not know how many terrorists there are. Our borders are another battleground in the war on terror.

HOLD ON FDA COMMISSIONER OVER RU-486

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, I rise today to comment on Senator Jim DEMINT's decision to put a hold on Andrew van Eschenbach's nomination to head the FDA. This has to do with a drug, an abortifacient called RU-486. This drug has been linked to eight deaths, nine life-threatening incidents and more than 200 hospitalizations.

The FDA is charged with safeguarding public health, so it only makes sense that the FDA Commissioner would support suspension of the drug, RU-486, until a full investigation can be completed on its effect on women's health. Nine other drugs have been suspended in the past 8 years that didn't cause a single death, yet this known health threat remains on the market as we speak. Madam Speaker, this is nothing less than irresponsible, and it is time the FDA exerted some leadership on the issue.

Senator DEMINT has acted in the interest of women's health and common sense. I thank him for his leadership.

CONGRESS IS ACTING ON ILLEGAL IMMIGRATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, faced with two conflicting bills regarding illegal aliens, the House-passed border security bill

and the Reid-Kennedy amnesty plan, House Republicans left Washington in August tasked with answering one question: How did the American people want us to handle this issue? After holding multiple field hearings and town hall meetings across America, we are back in Washington, and the American people expect us to act, and that is just what we are doing.

We began by passing the Secure Fence Act last week, and today we will consider three more bills vital to securing our borders and restricting the flow of illegal aliens into our country. It is time to curtail the invasion of illegal aliens, and we must begin at our borders. House Republicans are keeping up our end of the bargain. Now it is time for the Senate to follow suit.

In conclusion, God bless our troops, and we will never forget September 11.

APPOINTMENT OF MEMBER TO HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 501(b), and the order of the House of December 18, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the House Commission on Congressional Mailing Standards:

Mr. EHLERS, Michigan, Chairman.

PROVIDING FOR CONSIDERATION OF H.R. 4830, BORDER TUNNEL PREVENTION ACT OF 2006; FOR CONSIDERATION OF H.R. 6094, COMMUNITY PROTECTION ACT OF 2006; AND FOR CONSIDERATION OF H.R. 6095, IMMIGRATION LAW ENFORCEMENT ACT OF 2006

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1018 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1018

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4830) to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or subterranean passageway between the United States and another country. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 6094) to restore the Secretary of Homeland Security's authority to detain dangerous aliens, to ensure the removal of deportable criminal aliens, and combat alien gang crime. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage

without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 3. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 6095) to affirm the inherent authority of State and local law enforcement to assist in the enforcement of immigration laws, to provide for effective prosecution of alien smugglers, and to reform immigration litigation procedures. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

□ 1015

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, H. Res. 1018 provides for consideration of H.R. 4830 under a closed rule. It allows 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, it waives all points of order against consideration of the bill, and provides one motion to recommit H.R. 4830.

In addition, the rule provides for consideration of H.R. 6094 under a closed rule. It allows 1 hour of debate in the House, again equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, it waives all points of order against consideration of the bill, and provides one motion to recommit H.R. 6094.

Finally, Madam Speaker, the rule also provides for consideration of H.R. 6095 under a closed rule. It allows 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, waives all points of order against consideration of the bill, and provides one motion to recommit H.R. 6095.

Madam Speaker, last December the House of Representatives debated and passed H.R. 4437, the Border Protection Antiterrorism and Illegal Immigration Control Act with a 57-vote margin. However, despite phone calls and letters from constituents, our hard work in December met difficulty because some of our colleagues in the other body opted to support an amnesty program that simply cannot be substituted for border security.

The need for immigration reform is critical and long overdue. I remind my colleagues that we need to secure our

borders before we consider any other immigration proposal, of which amnesty should never be a part.

Just about every congressional district in this country is affected by illegal immigration, not just border States. Securing our borders is not a Democratic versus Republican issue, and it is not about the election in 7 weeks. It is an issue of protecting our Nation and restoring integrity to our system of immigration.

If immigration were a Republican issue, 64 Democrats would not have voted last week for the Secure Fence Act. Indeed, we are a Nation of immigrants, but we are also a Nation of laws based on the principles found in the United States Constitution.

In 1986, President Reagan pushed for reforms to address the problem of illegal immigration. In 1996, the 104th Congress pushed for more reforms. And now, 10 years later, this Congress once again has an opportunity to debate how to best secure our borders and remove incentives for illegal immigration by enacting these meaningful changes.

Today this Congress continues an ongoing and difficult debate, and I want to thank Chairman SENSENBRENNER and Chairman DREIER for the bills being considered under this rule, H.R. 6094, the Community Protection Act of 2006, H.R. 6095, the Immigration Law Enforcement Act of 2006, finally H.R. 4830, the Border Tunnel Prevention Act of 2006.

Together, these three bills, along with the Secure Fence Act we passed last week, reaffirm some of the high lights from the House-passed legislation in December, almost a year ago.

By addressing these issues separately, we have a better chance of achieving at least some degree of immigration reform in 2006. Procrastinating or ignoring this problem will simply not make it go away. Every day we put off debating and passing immigration reform creates more and more opportunities for illegal immigrants to break our laws and violate our borders. Each and every one of these offenses has social, economic and, indeed, security repercussions.

For instance, according to the United States Census Bureau release last month, there are an estimated 795,419 illegal immigrants who live in my home State of Georgia, almost double the same estimate from 2 years ago.

During the August district work period, I had an opportunity to visit some of the more porous areas on our southern border with my colleague Mr. SODREL from Indiana and Mr. PRICE from Georgia. After meeting with Border Patrol and Immigration and Customs Enforcement agents, inspecting the infrastructure, checking out places for improvement, the most important lesson that we learned was that with the right tools and with the right manpower, securing our border can be a reality, and it is not a lost cause, as some would suggest.

The morale of these dedicated men and women who are protecting our southern border is at an all-time high, because, as they said to us, Congress is finally paying attention.

Some of the improvements needed include more Border Patrol agents, more fencing and uniform penalties for smugglers, it is unbelievable that we don't already have that, and removing the question of jurisdiction for local law enforcement, an issue that my colleague from Georgia, Dr. Norwood, in his CLEAR Act has just emphasized over and over again and, thank goodness, was part of our original bill in December. We also need more on-site immigration judges, we are woefully inadequate in that manpower, border tunnel detection and criminal detention and removal.

The three bills we are considering under this bill address many of the problems that Customs and Border Patrol and ICE agents brought to our attention during that August trip to the three sectors of our border with Mexico.

The Community Protection Act of 2006 includes language from the Dangerous Alien Detention Act, the Criminal Alien Removal Act, and the Alien Gang Removal Act.

One of the most eye-opening moments on my tour of the border was seeing the transport of prisoners at an airport in El Paso, Texas. An airplane landed with prisoners for Mexico and so-called OTMs, other countries south of the border. These individuals were not being held and deported just simply because they had illegally crossed the border seeking jobs. No, these individuals were being sent back to their home countries after serving out sentences in this country for rape, murder, child molestation, and grand larceny.

The scenario addressed in H.R. 6094 would involve detaining individuals with similar offenses and also, also, Madam Speaker, in cases of highly contagious diseases and mental illnesses, detaining them longer than current law allows, a 6-month limit which begins when they are ordered removed. This legislation would make sure that these criminals are not released back into our society because of that 6-month rule to cause serious safety problems in our local communities.

Also included in H.R. 6095 is the Alien Gang Removal Act to deport alien gang members such as MS-13 and prevent them from being protected under this out-dated asylum law that we are burdened with. It is important to stop these gang members from entering and staying in the United States so that we can make progress toward not only deterring violent crime, but also the spread of the methamphetamine plague.

The Immigration Law Enforcement Act of 2006 would reaffirm, indeed, codify, the authority of local law enforcement officers to have jurisdiction in Federal immigration laws, CHARLIE NORWOOD's CLEAR Act. Many officers

want to enforce immigration law, but they fear repercussions at the Federal level. This language would allow local officers to assist Immigration and Customs Enforcement agents apprehending and removing illegal aliens from our cities and local communities, in essence, Madam Speaker, to deputize them and codify it.

Also included in H.R. 6095 is language to end this catch-and-release system that I mentioned earlier and expedite the process of removal of illegal immigrants. The legislation includes the Alien Smuggler Prosecution Act to create uniform guidelines, let me repeat, to create uniform guidelines for the prosecution of smuggling offenses.

On our trip to the southern border, we had a night tour at the Arizona sector. In our group, Congressman SODREL, the gentleman from Indiana, Congressman PRICE from Georgia and myself, we watched agents catch an individual trying to bring close to 400 pounds of marijuana into this country. The reason why, we were told by Customs and Border Patrol agents, that he chose 400 pounds was because in that particular area, in that particular county, there would be no prosecution for anything less than 500 pounds. So he was playing it safe, gaming the system, if you will. While some areas prosecute for 5 pounds, others will not budge for anything under 500. So we are addressing this problem of smuggling. We need uniform and stringent guidelines to prevent these smugglers from overwhelming certain areas of the border; and as I said, they are attempting to use this loophole to game the system. That has got to stop, Madam Speaker.

Finally, Border Tunnel Prevention Act, the Border Tunnel Prevention Act of 2006 introduced by Chairman DREIER to address the problem of these border tunnels. H.R. 4830 would increase penalties for border tunnel construction, with up to 20 years' imprisonment.

One of the agents I met in Nogales, Arizona, mentioned that they really need more tools to combat border tunnel construction, tougher penalties and a means to detect tunnels before their completion. Often organized crime on both sides of the United States-Mexican border will invest substantial resources into the construction of tunnels for drug smuggling and human trafficking. The tunnels, if we find them, they are filled with cement as soon as they are detected, but we don't know how many pounds of drugs or the number of illegal immigrants have made it through the tunnel before it was closed for business. Despite the aggressive nature of our Border Patrol, it is still difficult for them to detect tunnels and discourage their construction. H.R. 4830 takes the first step by increasing the penalties for that construction.

Madam Speaker, once again, I reiterate that border security is eminently doable. Our Immigration and Customs Enforcement and Border Patrol agents

are making progress, but they still need help. They know that border security is possible, and they work long hours trying to achieve that goal.

Our Border Patrol has not given up on us, and it is important for Congress not to give up on them. The three bills we are considering today will help them tremendously.

So I encourage all my colleagues on both sides of the aisle, please support this rule and support the underlying legislation.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Georgia (Mr. GINGREY) for yielding me the customary 30 minutes.

Madam Speaker, immigration and border security are not new issues. These issues have been around for a while. They are serious issues, but they have been issues that have been ignored by this Republican leadership and this Republican Congress for years.

Notwithstanding the fact that President Bush has challenged us to come up with comprehensive immigration reform, which also includes tight border security, and notwithstanding the fact that this Congress passed what I believe is an objectionable immigration reform bill and the Senate has passed a more acceptable immigration reform bill and we are supposed to go to conference and work out the differences and produce a comprehensive immigration reform bill, as the President has requested, the leaders of this House have chosen to do nothing, not a thing.

So while many of us may disagree on some of the issues, this is a high priority for all Members of Congress. But some of us are questioning, why not do what we are supposed to do? Why not go to conference and work out the differences and come out with a comprehensive immigration reform bill that deals with border security and that deals with the issue that a lot of people are concerned about, what do you do with the 12 million people here in the United States who are undocumented?

□ 1030

Madam Speaker, the rule before us and the bills that will be considered if this rule is adopted is not about border security and immigration. That is not what we are doing here today. For those who are watching, this is not about real legislative progress. No, Madam Speaker, this rule and these bills are about politics. It is about a press release and trying to convince the voters that we in this Congress are actually doing something when, in fact, we are doing nothing.

Now, before my friends on the other side of the aisle roll their eyes and say,

there he goes again, let me urge them to look at the calendar. The Republican leadership cancelled votes for tomorrow and plans to adjourn for the elections next Friday, September 29. The Senate is following a similar schedule. That gives us 1 week to consider these bills in both Chambers, pass and reconcile them before next Friday.

Now, it is not impossible, but the truth is there are competing comprehensive immigration and border security bills that have been passed by the House and Senate, as I have mentioned. The House passed its bill on December 16, 2005, and the Senate passed its version on May 25, 2006, but again, this House has refused to go to conference. It is puzzling because the Republicans, Madam Speaker, control the White House, the Republicans control the House of Representatives, and the Republicans control the Senate. One would think that since the Republicans control everything, they can get along with each other and actually move important legislation forward.

Madam Speaker, what we see on the issue of immigration reform and border security, quite frankly, is a failure of leadership. You have a dismal record on protecting our borders, a dismal record on dealing with illegal immigration. This is a failure of being able to legislate, to be able to do your job.

Instead, we are here again with another set of immigration and border security bills. Let us be honest with the American public. This is not a serious effort to legislate. No, Madam Speaker, this is about election politics. This is about the Republican leadership in the House trying to appeal to the cheap seats and gain some political points 1 week before we adjourn for the November election.

The gentleman from Georgia mentioned with great pride this legislative accomplishment that we passed last week, the border fence security bill which the Senate is now dealing with. It is important to point out to the American people that while it sounds nice, there is no money in it. There is no money to provide for the construction of such a fence. The chairman of the Homeland Security Committee before the Rules Committee last week could not even tell me how much it was going to cost, but we know it is going to be hundreds of millions of dollars, if not billions of dollars. So we pass a bill saying we want to do this, but no money. Guess what? Without the money, you cannot build it.

So what are we really doing here? Are we protecting the borders, or are we trying to put on a show for the American people before elections that somehow we are doing something meaningful when, in fact, we are not? We are wasting time.

The American people want comprehensive, compassionate immigration reform, and they want strict border security plans, not partisan legislation and not just a show to imply that somehow we are doing something when, in fact, we are not.

Madam Speaker, for 5 years the Republican-controlled House, Senate and White House have failed to move forward on comprehensive immigration and border security. Done nothing. We have a crisis today. It is a serious crisis in border security because Republican infighting has crippled anyone's ability to enact comprehensive reform.

Madam Speaker, with 1 week left before we adjourn, we should be considering meaningful legislation that will actually affect people's lives today. Where is a clean bill increasing the minimum wage? The Federal minimum wage is at \$5.15 an hour. It has been that way for 9 years. I mean, how can you live on \$5.15 an hour? We need to pass an increase in the minimum wage, not a minimum wage increase tied to a tax break for millionaires, but let us all agree that \$5.15 an hour is not enough for somebody to live. They cannot get out of poverty on \$5.15 an hour. Why can we not pass a clean minimum wage bill today? That would be something meaningful. That would impact people's lives today. We had time this year to vote ourselves a pay raise here in the Congress. Do you not think we could take a few minutes and pass a pay raise for those workers who are earning \$5.15 an hour?

Where is legislation implementing the rest of the 9/11 Commission's recommendations? The gentleman talks about homeland security and the need to protect our border security. The nonpartisan 9/11 Commission has given this Congress Ds and Fs on implementing homeland security legislation. We should be ashamed of ourselves. We should be ashamed of ourselves that we have not enacted all of those recommendations. We need to do that. We could do that today. We should stay in session to tomorrow and do it.

Where is the Labor-HHS appropriation bill? Where are some of the other important pieces of legislation?

Madam Speaker, the truth is that this Republican leadership has proven that they are incapable of running the House of Representatives. Their priorities just do not mesh with those of the American people. Bringing divisive bills to the floor to be used as political ammunition in the upcoming elections is not leadership, but time and time again it is how the Republican leadership in the House operates. Instead of doing what is right for the American people, they continue to do what they think is necessary to be reelected.

Madam Speaker, the American people are sick and tired of business as usual. It is time for a change in leadership in this House. It is time for a new direction.

One other thing, Madam Speaker, this is a closed rule. It is a closed rule, which means you cannot amend it. You have to take it as is. No amendments are in order, not one. If these issues are so important, why can Members not have the opportunity to deliberate and to legislate, to be able to offer amendments? Why can we not amend these

bills? Why does this have to be brought up under a closed process?

This is one rule we are debating on which is a closed rule, but really it is three closed rules because there are three separate bills we are going to be taking up and all of them under a closed process; you cannot amend them.

Now, it is not surprising that it is being brought to the House in this manner because democracy is dead in the House of Representatives. This place is run poorly and cynically. It has lost the trust of the American people. Every public opinion poll out there shows that we are held in the lowest esteem possible. People have had it. They know the way this place operates. They want this to be the people's House, not the House where a few special interests get to call the shots.

Madam Speaker, over the last several years, the Democrats have tried to offer amendments to various bills to improve our border security. Over the last 5 years, if these amendments were adopted, there would be 6,600 more Border Patrol agents, 14,000 more detention beds and 2,700 more immigration and enforcement agents along the border that now exists. That would be a positive thing if those things were adopted, but each and every time they have been objected to by the Republican majority in this House. They have been against increasing Border Patrol agents, against increasing detention beds, against more immigration enforcement agents along our border that now exists. Instead, we get a fence bill that is not paid for. Instead, we get these bills that are before us today that in all likelihood are going nowhere before we adjourn for Congress.

This is not the way we should run the House of Representatives. This is not the way to deal with border security issues and immigration reform. This is cynical what is going on here today. This is a rifleshoot approach to a problem that needs a comprehensive approach.

We need to do so much better. So I am asking my colleagues to defeat this rule.

Madam Speaker, I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, I yield to myself such time as I may consume to respond to a couple of the comments that my good friend made in regard to the point of the Senate-passed bill that is more acceptable, the so-called comprehensive reform bill.

Well, I will tell you, my colleague said that would be more acceptable. That comprehensive reform bill, by the way, is just a euphemism for amnesty, and 90 percent of my constituents would beg to differ with him, and I think that is true across this country.

He also made the point about this Congress not doing its work and taking off tomorrow. Well, he knows and all of us know that the reason we are not going to be in session tomorrow is be-

cause the leadership of both the Democratic Party and the Republican Party, in deference to the fact that tomorrow is a high Jewish holiday, that we not be in so that people could worship and observe these holidays.

So it is disingenuous these things that my good friend and colleague is mentioning.

The other thing about going to conference with the Senate. Well, he knows that in the Senate bill there is a revenue provision which makes their bill unconstitutional. If they want to remove that provision and then send that bill back over, we can go to conference. So it is just a game that they are playing.

My colleague also, and he is perfectly within his rights to do this, he talks about some issues that are more important to him and maybe to his party and his leadership and brings up the issue of the minimum wage and a stand-alone minimum wage bill. Madam Speaker, if we solve this problem of porous borders and prevent these millions of illegal immigrants from flooding into this country, taking jobs away from American citizens and legal immigrants and, in the process, driving down wages, if we can stop that hemorrhaging, then we will not need to increase the minimum wage because it will be increased automatically by employers.

So he wants to take a rifle approach and say we are taking a shotgun approach. We are going to get the job done, and we are going to solve many of these problems with this bill.

Madam Speaker, I proudly yield 2½ minutes to the gentleman from Colorado (Mr. TANCREDO), my good friend who knows of what he speaks in regard to immigration and secure borders.

Mr. TANCREDO. Madam Speaker, I thank the gentleman for yielding.

We have used a lot of analogies here to describe what is happening, and, of course, I have one, too, and that is that we are looking at a patient that is the United States of America, and we are hemorrhaging at our borders. When that occurs, you first do something to stop the hemorrhaging. You may want to think about how you may treat the patient subsequent to that, but you stop the hemorrhaging, and this is what we are trying to do on the border. That is the first way of addressing this horrible problem that we have got.

It is important for us to do this and important for us to keep reminding the American people that there are things that can be done, that should be done by the Federal Government in order to try and protect them and do what we should be doing to live up to our responsibilities under the Constitution.

One of the bills today is of particular interest to me. It is the State and Local Law Enforcement Cooperation Act, and it talks about what we need to do and the authority of the State and local law enforcement to voluntarily investigate, identify, apprehend, arrest, detain, and transfer to Federal

custody aliens in the U.S. in order to assist in the enforcement of the immigration laws.

Let me tell you how important this. Just yesterday it was reported in Colorado, another event of one of hundreds that are around the country of a similar nature, where someone who was in the country illegally comes in contact with the local police. In this case, he was driving a car that had a warrant out for it across the country. He was driving without a license. He was driving with a forged identifier, something that was observable to the policeman, who said he saw that the picture had been cut out. That happened in early April. He was taken in and let go. No contact was made with ICE whatsoever.

Just a few days ago he dragged another person, we are not even sure who this other person is because there is not much left of the body, but dragged her behind a truck until she was dismembered.

Now, if the everybody had done their job there, including the Federal Government, and the job had been done at the local level, this gentleman would have been off of the streets. If it was done at the Federal level, he would have never gotten into the country. If the local police had been able to do their job, except for their sanctuary city provisions that stop them, he would have been off the streets in April and would not have been able to commit this horrible crime.

But all these things are happening. They happen on a daily basis. We need to engage the local communities in this effort to help us, and the Federal Government must take on the responsibility here to secure our borders. It is our true and one single responsibility.

I thank the gentleman for yielding the time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me again point out to everybody in this Chamber that the Republicans have controlled this place for a long time, and for the last 5 years, they have even controlled the White House. It is puzzling to me why they are all lamenting that we need to get things done when they have been in charge. Why can they not work with each other? Why can you not get things done?

The gentleman from Georgia talked about this comprehensive immigration bill. The one in the House he voted for. The one in the Senate he may not like. When the Senate passes a bill, and the House passes a bill, in this case Republican control both Houses, you get together, work out the differences and come up with a compromise.

□ 1045

You know, we should have a conferees meeting and work out that compromise and do what you are supposed to do, your job. This is not a radical or controversial idea. Let's work it out; let's do it right.

And he has yet to explain why all this has to be brought up under a closed process. Why can't we open this to amendments? We proposed last night in the Rules Committee, the Democrats, that this be an open rule, that Members be able to come down and amend this as they see fit. And that was voted down along party lines; all the Democrats voted for an open process, the Republicans as usual stuck together and voted to shut this process down. That is objectionable. This is so important, we should be able to, it should be open to amendments to any Member.

You know, again, I would say to the gentleman from Georgia, Democrats, if you would follow our lead and you had adopted the amendments that we proposed over the last 5 years, there would be 6,600 more Border Patrol agents, there would be 14,000 more detention beds, and 2,700 more immigration enforcement agents along our border than now exist. That, to me, would have been a positive accomplishment. But you rejected all that time and time again.

So I object to the manner in which you are bringing these bills up. This is all about politics. This is about trying to imply that you are doing something when you are not. And I object, once again, to a closed process. We need a little democracy in the House of Representatives. This should be an open process; it should be open to amendments.

I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, at this time I want to proudly yield as much time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, I first want to extend my congratulations to my Rules Committee colleague, Dr. GINGREY, and thank him for his fine work on this rule as he does such a great job on so many other measures that we bring forward from the Rules Committee.

You know, this issue of working together which my friend from Massachusetts has just talked about is something I am very proud of. Included in this measure is a package that was first brought to my attention by my Democratic colleague from California who serves in the other body, DIANNE FEINSTEIN, and she raised concern about the issue of tunnels going between Canada and the United States and Mexico and the United States. And she and I spoke about this, and we said let's see if there would be a way in which we could put into place a commonsense reform.

She was shocked, my Democratic Senator, DIANNE FEINSTEIN, as I was shocked, when we found that it is not a crime to bore a tunnel from Mexico into the United States or to bore a tunnel

from Canada into the United States. It is not a crime to use property in the United States for the tunnel to come out and for drugs, human trafficking, other contraband to come through.

So we sat down, we joined with our colleagues DUNCAN HUNTER from San Diego, I know that J.D. HAYWORTH is strongly in support of this effort; and one of the items that we have here is something that I think again is a commonsense reform. Anyone can come to the conclusion that the idea of boring a tunnel between our two countries is just plain wrong. And so I believe that we have done the right thing. We have recognized that border security is national security. And while there is no evidence whatsoever of a Mexican terrorist, the threat of someone utilizing one of those tunnels to pose a terrorist threat to the United States is still there, and I believe that we need to do everything that we can to make sure that we secure it.

Madam Speaker, since September 11 of 2001, 38 tunnels have been discovered between the United States and Mexico and Canada and Mexico. Frankly, 37 of them between Mexico and the United States, one from Canada into the United States. And just this past weekend a tunnel was discovered from Mexicali to Calexico, in my State of California.

We have a problem. It needs to be addressed, and it is being addressed in a bipartisan way: Democrats and Republicans in the House working together, Democrats and Republicans in the Senate working together to try and step up to the plate and deal with this issue.

It is a very clear measure that we have, and I am very proud again to have such strong support for it. We criminalize the utilization of property, and we criminalize those who would bore under the border and come into the United States. And what we also do is we double the penalties for the areas where there already is criminalization. If the drugs are brought by way of a tunnel, we double the penalty, because it is outrageous that this kind of thing is being used.

We have a wide range of things that we have done. I heard my friend talk about the fact that we haven't been able to do a lot of things. The Senate just yesterday had a vote on cloture on bringing up the issue of building these strategic fences. Now, I don't believe that we can fence the entire border. I think that we have got 21st-century technology that can be utilized, with motion detectors, unmanned aerial vehicles, other things that can be used. But in heavy urban areas and in the five areas where we see a large problem with human and drug trafficking, building a fence is the right thing to do.

And I regularly heard my friends in the Rules Committee say, oh, the Senate is never going to bring this up. We passed it last week, and part of the criticism of it was the Senate wasn't

going to bring it up. The Senate has brought it up, and they are going to pass it. And so what we have done is we have found areas of agreement.

It is true there are aspects of the immigration debate that have great disagreement. But when we can find areas of agreement like securing our border and we in the House of Representatives can provide leadership to do that, it is something that needs to be done. Why? Because the American people are expecting us to do this. It is our responsibility; it is the Federal Government's responsibility to secure our borders.

Madam Speaker, I am proud of all three pieces of legislation that we have here. I am proud of the other things that we have done to make sure that we do secure our borders. It is our job to do it, and I am very happy that we are stepping up to the plate and doing that.

I thank my friend for yielding.

Mr. MCGOVERN. Madam Speaker, first let me say to my colleague, the chairman of the Rules Committee, that I am glad he can point to an instance where he has worked with a Democrat. My question remains, why can't Republicans work with Republicans? The comprehensive Senate immigration bill has a fence provision in it. And if the Senate and the House can go to conference and start working out these differences, he could get his fence and we could also get a lot of other issues solved as well.

Mr. DREIER. Madam Speaker, will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from California.

Mr. DREIER. Madam Speaker, I would simply say to the gentleman that I very much want us to be able to complete and address a wide range of issues. The fact that we are able to come together now in a bipartisan way and address these areas of agreement is something I think that can be celebrated, because Republicans are working with Republicans, but Republicans are also working with Democrats who are like-minded to try and deal with some of these very important security issues. I thank my friend for yielding.

Mr. MCGOVERN. Again, it is frustrating that when the President of the United States is urging us to approach this issue in a comprehensive way, that the Republican leadership of this House can't get together with the Republican leadership of the Senate and address a whole range of issues.

I think it is also important to point out so that there is no misunderstanding for those who may be observing these proceedings that, even if the Senate passes the so-called fence bill, they should be under no illusion that all of a sudden a fence is going to be built along the southern border of this country. The fact of the matter is there is no money for it. This is an authorization, not an appropriation; and nobody has been able to identify where the money is going to come from.

The other thing is, again, I go back to what I said before. We need more

border security agents on the border right now. We need more detention beds. We need more immigration enforcement agents along the border. We have tried, we have tried over and over and over again to get the majority to allow us just the right to offer amendments to be able to address some of these issues and have been rejected over and over and over again.

So I would simply restate what I said in the very beginning, and that is that what is going on here today is somewhat cynical, because I think the other side knows that at least with the three bills that we are talking about here today, the chances of them being enacted by the Senate are almost zero between now and a week from Friday; and we are not going to accomplish anything except a press release. And at the same time, we are not addressing the challenge that President Bush has put before us, which is comprehensive immigration reform.

Madam Speaker, I yield 6 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished member of the Rules Committee, and I thank him for highlighting some of the failures in our Achilles heel in this process.

Certainly as a member of the House Judiciary Committee and the ranking member on the Judiciary Committee on Immigration, none of these bills have come through the committee. There have been no hearings, no fact finding. Certainly the reason might be given by our colleagues on the other side of the aisle is because we have already passed this bill. This bill is a clone of the Sensenbrenner bill passed through the House and ready for conference.

I think it is important to note that even though my friends in the other body have come to cloture on the tunnel provision or the fence provision, let me make it very clear that Senator FRIST, the majority leader, has indicated that there is a heavy, heavy agenda for next week. When the Senate goes out at the end of the week, the question is whether or not this will be an item that will be addressed.

What really should have happened 2 months ago, 3 months ago when both bills had been passed, the Senate passed a bill, the House passed a bill, we could have gone to conference. Maybe my colleagues don't realize that there was fencing language in the Senate bill. That means when you go to conference, you can expand that language if that was the desire.

Now, I know many of my friends on the other side of the aisle will talk about the immigration hearings that they attended, and I would venture to say that at many of them I met them because I had the responsibility and privilege of attending at least one-third to one-half of them. And those

hearings were redundant testimonies by people that had already been to Washington. They drove a wedge in whatever community we went to with protesters on both sides. There was a lot of maligning of innocent individuals who happened to be of Hispanic surname, suggesting in one hearing in California that all of the jailhouses were filled up with individuals from Mexico and other places, the mental facilities were filled up, the hospitals were filled up. It was an imbalance.

So we are simply asking that there be a comprehensive approach. And Democrats are not taking a back seat to border security, and that is why I am offering the previous question that indicates the hard work of Democrats, particularly as it relates to the idea of alien smuggling, and that we have offered amendments to enhance immigration enforcement resources. And as my good friend from Massachusetts has said, if our amendments had passed, we would have 14,000 more detention beds today, 2,700 more immigration agents along the borders.

I went to the borders. I saw our Customs and Border Protection agents working 7 days a week, 24 hours a day. And when they have to have what we call a secondary inspection, when you stop a car and then you say it doesn't look right, you must send them to the other building for a secondary inspection. Do you know that there is nobody there because we don't have enough staff. So it befuddles me when my Republican colleagues come forward with these three separate bills that are already in the bills we passed and we can just go to conference right now. And that is why we are offering this previous question so that we can ensure that you know on the record that out of this we will get 250 more immigration agents; detention officers by 250; U.S. marshal officers by 250; 25,000 more detention beds; and by 1,000 the number of investigators of fraudulent schemes and documents would increase.

□ 1100

None of this has happened. But on the other hand, we have three border bills that my friends on the other side of the aisle know for sure have poison pills. We are okay with the tunnel. Who wants to have our Nation exposed? But we want real border security, not forcing local jurisdictions to engage in civil enforcement.

Let me remind you of the Canadian citizen who was mislabeled as a terrorist and sent wrongly to Syria. This bill has provisions to detain people indefinitely who may be just children, mothers, fathers who have come across the border for economic reasons. Of course we want to regulate this process and make sure that we address comprehensively the immigration concern. We want to ask and answer the questions of Americans.

But Democrats have gone on the record year after year, these bills represent a series of poison pills that, if

you read them, embedded in them is violations of the rule of law. The alien gang removal possibly will remove people who live in a house where a gang member is.

So we believe that you vet a bill so that the American people can have confidence in this process. And we have these bills already passed.

My friend is going to get up and show horrific pictures. I come from Texas. There is a drug war at the border, but I go down to the border. I have friends at the border. I interact with the sheriffs and the mayors. There is also trade and jobs at the border. So they want a comprehensive approach. They want the bad guys arrested, drug dealers and smugglers, which we can do. Nobody here is talking about the Drug Enforcement Agency. Nobody is telling you that the Colombia cartels that were raging in the 1990s have been somewhat stomped out, and they moved to Mexico. Mexicans don't want the drug violence going on. Texans don't want the drug violence going on.

But it is not an immigration issue. We need to secure the borders, but we don't want to mix apples and oranges. We want to get rid of the alien smugglers and the drug smugglers, but these poison pills, and these bills are not the way to comprehensive immigration reform. I ask my colleagues to defeat the rule so the previous question can go forward.

I rise in opposition to House Rule H. Res. 1018, which provides for a closed rule on the Border Tunnel Prevention Act, H.R. 4830; the Community Protection Act, H.R. 6094; and the Immigration Law Enforcement Act, H.R. 6095. We need an Open Rule for these immigration bills so that they may properly be considered debated.

The Bush Administration has been in office for 6 years, and the majority has controlled Congress for more than 10 years, but only now, in an election year, have we begun to examine how to address the critical need to fix our broken immigration security systems.

The House and Senate passed their bills on immigration reform and border security months ago. Under regular order, we should be appointing conferees and engaging the process of reconciling the two bills. However, in a substantial deviation from normal practice, the House Majority Leadership decided to launch a traveling road-show of committee hearings in States across the country. The American people saw through this charade and condemned the hearings as a waste of time and taxpayer money, when Congress should have been focused on resolving the immigration problem in conference.

Now that it is September, and the nationwide hearings are over, the House Leadership continues to skirt its duty to conference with the Senate, hiding behind procedural hold-ups and creating busy-work by bringing these same provisions that were passed in H.R. 4437 last December to the floor again, just before the election.

Consistently, the majority has sought great fanfare and publicity for their supposed border security initiatives. But consistently, they have refused to fund these promises and have failed to carry out the security measures for

which they seek public acclaim. The problem is that immigration has become about talk and show, and winning elections.

The majority has done nothing to pass real, meaningful immigration reform that addresses all needs—including the 12 million undocumented already in our Nation, the needs for improved family reunification policies, and reforms to the non-functional workplace enforcement, in addition to the critically needed border security and enforcement enhancements.

We know that 5 years after 9-11, the Bush Administration still does not have any control over the borders. If the Bush Administration had properly secured the border, we would not be facing the security issue of millions of unknown people in our country.

If the Bush Administration had enforced the workplace laws, we wouldn't have more than 7 million undocumented aliens working in the United States.

If Congress had funded the 9-11 Commission's recommendations or conducted proper oversight, we would not be voting on these same enforcement provisions for the second or third time. We would be in conference, hammering out a compromise with the Senate as we were elected to do.

When we bring these bills to the floor, bills which we held no hearings on, which did not go through committee, we owe the American people a meaningful debate. We must have an Open Rule and an opportunity to debate our Amendments in the Nature of a Substitute to address the real needs of immigration and border security reform.

I urge you to vote against House Rule H. Res. 1018.

Mr. GINGREY. Madam Speaker, I would like to yield 3 minutes to the gentleman from California (Mr. ROYCE), who, in his capacity as chairman of the Subcommittee on International Terrorism and Nonproliferation, held hearings in August.

Mr. ROYCE. Madam Speaker, I rise in support of this rule.

We do have a philosophical disagreement over open borders. Some of us support fencing those borders. We do have a philosophical disagreement over a massive amnesty. Some of us believe that massive amnesty in 1986 made the situation worse. That is why we don't want to go forward with another amnesty of that type.

Let me say I did chair the hearings in San Diego and in Texas. I toured that southern border with local law enforcement and immigration officials. I heard their arguments in favor of putting up that border fence and their arguments about doing something about these tunnels. This was a tunnel that was six ballfields long. I went through this tunnel. Contraband was trafficked illegally over these cement floors, under electric lighting. The tunnel had water pumps, full ventilation, and a system of pulleys through it. There have been other tunnels discovered since. I don't believe in open borders. We are going to criminalize the action of putting up these tunnels.

We are also, with the Immigration Law Enforcement Act, we are going to allow local law enforcement, and there are 700,000 local law enforcement.

Wouldn't it be nice to allow them to voluntarily assist the 2,000 ICE agents in this country so when we have a situation in the future like we had on 9/11 where four of those hijackers had been stopped by local police for speeding prior to the attacks, they can call into that hotline and, if there is suspicious activity, can look into the immigration status of those people who are here in this country illegally.

Let me also say that the Community Protection Act is coming up under this rule, and criminal gangs today like MS-13 are no longer just the neighborhood kids who may be up to no good, the kinds of gangs we remember from our youth, because we have transnational criminal gangs active around the country that now resemble organized crime syndicates. They have highly organized leadership and organizational models, and networks that stretch across this Nation. They operate across the border. They will bring, in the words of one sheriff, anything or anybody across that border for a price.

I don't believe post-9/11 that we can have an open borders policy. I think we have to fence the borders. I think we need these commonsense bills to pass without that massive amnesty that our friends would like to attach to it. I urge passage of this measure.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I think we need to be careful with words. Nobody is advocating amnesty. I don't think President Bush is advocating an amnesty. I don't think Senators HAGEL or MARTINEZ or MCCAIN are advocating amnesty.

What people want is action. What people are frustrated with is the fact that this Republican Congress has done nothing. We passed the comprehensive immigration reform bill in the House. They passed one in the Senate. We want to go to conference to work out the differences and come up with an approach that will work.

Instead, what have you done? You have gone around the country holding hearings at taxpayers' expense, and the reviews have been dismal. The headlines from the leading newspapers from across the country are "All Talk No Action on Immigration," and "Immigration Hearings Misfire." "Field Hearings a Waste of Time and Money." "Immigration Hearing Staged to Run Out the Clock" so we don't do anything meaningful. That is not what we want; we want real action.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I thank the gentleman for yielding me this time, and I urge a "no" vote on the previous question and on the rule.

Mr. Speaker, America needs comprehensive immigration reform. I think every American who is paying any attention agrees we need comprehensive immigration reform.

Everybody in this people's House, Democrats, Republicans, and even the

Independent, understands that we need comprehensive immigration reform, and every Member of the other body, every Republican, every Democrat, and their Independent, understands that America needs comprehensive immigration reform.

Now every Member of this body, Republican and Democrat and Independent, every Member understands that in order to get a reform bill passed and signed by the President, that one has to have a single piece of legislation that is agreed to by both of the bodies.

So everyone knows that for immigration reform of a comprehensive form to become law, that that must pass both bodies in exactly the same form and be signed by the President or passed over with the President's veto.

Now, the process of doing that is not understood by everybody in this country, but in general form much of the country understands that. And I am not sure whether the majority party here believes that people in this country are not knowledgeable, ignorant of those processes, so much that they think that this kind of a sham that we are going through can be carried out.

The majority party in the House of Representatives is the Republican Party. The majority party in the other body is also the Republican Party. This process that we are engaged in today is a sham. It is meant to mislead people that something is actually being done about immigration before we go home for the elections in November, before we recess for those elections, when, in fact, nothing really is being accomplished.

In our people's House on the 16th of December last year, the Border Protection Antiterrorism and Illegal Immigration Act passed by 239-182, a margin much larger than is the margin by which the majority party holds the majority. So it was a bipartisan bill in part.

In the other body on the 25th day of May of this year, 4 months ago, their Comprehensive Immigration Reform Act was passed by a vote of 62-36, again by a margin much larger than the margin by which their majority party, also the Republican Party, passed the bill. It is again a comprehensive and bipartisan bill.

So this process where we have legislation where two of the bills are in large part within the legislation that is being put forward today, and also is part of the bill that passed back in December by this body, by this people's body, and the other one has been passed in a different form by the other body, all one has to do is go to conference. It would be possible to go to conference and work out the differences between those two pieces of legislation so a single bill could go to the President and be signed and provide what everyone in America, everyone in this body and everyone in the other body would call comprehensive immigration reform.

That is the way that this ought to be done. The process that we are involved

in today is a sham, and we should defeat the previous question and defeat the rule and go to comprehensive immigration reform by going to conference and doing it the way it has to be done in order to have a law be passed in this country.

Mr. GINGREY. Mr. Speaker, I am proud to yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the Ways and Means Committee.

Mr. HAYWORTH. Mr. Speaker, my colleagues, I rise in strong support of the rule and the legislation. Let me start with this observation.

With all due respect to my colleague from Massachusetts, it is never a sham when we come to the people's House with legitimately different points of view to be articulated. That is the strength of our constitutional Republic.

And to my other friend from Massachusetts managing the rule for the other side, let me respectfully suggest that this is not a Republican problem or a Democratic problem, it is an American problem.

Now, with the preceding speaker, I take great exception to the notion that somehow this is a masquerade. I appreciate the delineation of process, and following that logic, let's make this point. What we do in process is prioritize.

I, for example, have a provision in the underlying legislation that deals with outlawing the tunnels, which is not a crime, believe it or not. This is a reasonable and necessary action. This is a reasonable and necessary action to be taken.

My friend from Texas got up and spoke about a bill that had passed through the Senate dealing with a fence. The problem was that in the final bill passed by the Senate, there was a provision to ask for the Mexican Government's permission to have such a fence. Clearly that doesn't sit well with the American people.

Although my friends lament taking the hearings to the people out of Washington, D.C., it is exactly what we should have done. We have heard from the people. Support the rule and the legislation. Let's make these tunnels illegal, let's strengthen the border, and we can do it for America, not for either political party.

Mr. McGOVERN. Mr. Speaker, I would just respond to the gentleman that I think he has conceded that this is a sham by virtue of the fact that it is being brought up under a closed rule, a closed process.

Mr. Speaker, I reserve the balance of my time.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in strong support of the rule for H.R. 4830, the Border Tunnel Prevention Act. Our Nation's border security is essential to having effective homeland security.

However, since September 11, 2001, foreigners have breached our borders with no less than 38 tunnels, and these are only the tunnels about which we know.

During July I was at a veterans' post in Florida in my district, and a gentleman had this shirt on. This, ladies and gentlemen, is what America wants. They want the borders closed. They want to make sure that people are not entering into our country illegally, either crossing the borders or via the tunnels.

We all know that coyotes use them to bring illegal aliens into the United States, bypassing our legal immigration system.

Listen up, America. Congress should not ignore these consistent breaches of our security.

□ 1115

And that is what the bill before us is all about. The bill before us will do just that. That is one reason why we absolutely need to pass this rule, because we need to make it a crime to build or finance an unauthorized tunnel into the United States.

I urge my colleagues to support the rule and the underlying bill.

Mr. McGOVERN. Mr. Speaker, I yield myself the balance of my time.

I hope that all Members will join me and vote "no" on the previous question so I can amend the rule and allow the House to consider an amendment by Representative JACKSON-Lee that would really take on the issue of border security rather than just pay it lip service. The proposal would amend H.R. 6095 to equip the Department of Homeland Security with the resources the 9/11 Commission says we need to secure our borders, to shut down the alien smuggling business, and to catch and hold illegal immigrants entering our country.

Mr. Speaker, I ask unanimous consent to print the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. WAMP). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McGOVERN. Mr. Speaker, the Republican majority in this House continues to approach border security and immigration control in its usual ineffective and piecemeal approach, putting election-year politics ahead of real and responsible solutions. Republicans are big talkers when it comes to border security and immigration reform, but they have never been willing to put their money where their mouth is. The bills we will consider on the House floor today are more of the same. This debate and these bills are supposed to remind voters that Republicans are somehow tough on immigration, but instead they just remind all of us that Republicans have not been able to make any progress on the urgent issue of border security.

So I urge all Members of this body to vote "no" on the previous question so that we can bring up this amendment to actually do something about the problems on our Nation's borders instead of just talking about it.

The 9/11 Commission has given this Congress Ds and Fs when it comes to homeland security, and we have a particularly low grade when it comes to protecting our borders. Let us not only do the right thing. Let us do something that is real.

People are cynical. They are tired of politics as usual in this House. They are tired of these last-minute bills that come up before elections to somehow imply that we are doing something when we are not. We have a serious problem on our borders. We need serious action. This is not serious action.

I urge my colleagues to vote "no" on the previous question. If that vote does not prevail, vote "no" on a closed rule. If these issues are important, we should be able to amend these bills. We need a little democracy in this House. Let's get this right.

Mr. Speaker, I yield back the balance of my time.

Mr. GINGREY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I want to once again thank Chairman SENSENBRENNER, Chairman DREIER, and the House leadership for continuing the debate in favor of securing our borders. The pattern in recent years has been to address the issue of immigration and border security once a decade. In 1986 we had an immigration reform bill. In 1996 we had an immigration reform bill. But the results at best were mixed, and this year we have yet another opportunity to get it right. Ninety percent of the American people are demanding that we secure our borders and secure our borders now.

The legislation offered under this rule will help our current agents detain and apprehend criminals, not just those crossing in search of work, Mr. Speaker, but truly dangerous individuals as well. Security on our borders remains a crisis. Our agents on the border need our help. Our constituents are forcefully voicing their support for immigration reform, with an emphasis on border security.

And I ask my colleagues, please support this rule and the underlying bills so we can start to solve this problem and solve it now.

Mr. UDALL of Colorado. Mr. Speaker, it's often said legislating is like making sausage—stuffing various ingredients into one product. But sometimes it's more like slicing salami—cutting something into pieces, to be swallowed one at a time.

Today, the Republican leadership clearly has decided that sliced salami will be the blue plate special, and that there can be no changes or substitutions. They are saying they favor a piecemeal approach to immigration reform and are more interested in political posturing than in trying to enact legislation that will meet all the challenges involved in strengthening our borders, reducing illegal im-

migration, and addressing the status of illegal immigrants now in the United States.

So they have cut three pieces off the immigration bill the House passed last year, and are bringing them to the floor under this rule which prohibits us from even debating any amendments or offering any additions to the menu.

In other words, it's take it or leave it, and forget about trying to make any improvements—just like it was with last week's serving, the bill for 730 miles of high-price fencing along the border. I think that is wrong, and I cannot support that procedure.

However, I will vote for the three separate bills covered by this rule, because while I have some concerns about some of their provisions, on balance I think they would improve current law and policies.

That was why last year I voted for H.R. 4437, the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005, the overall bill from which today's bills have been sliced.

Among other ingredients, that bill also included provisions added by the amendment by our colleague from California, Mr. HUNTER. As I mentioned, those provisions were sliced off last week and served up as H.R. 6061, the so-called Secure Fence Act.

I am not opposed to the construction of fencing or other barriers along our borders, but I am not convinced Members of Congress should attempt to substitute our judgment about technical questions of engineering and law enforcement for the expertise of those responsible for border security.

I voted against the Hunter amendment, and against H.R. 6061, because Immigration and Customs Enforcement (ICE) authorities—those with the most experience in border security have not requested such a mandated expenditure, and in fact, have expressed a preference for different resources and tools to do their job. Moreover, I am skeptical that the kind of fence-building mandated by the Hunter amendment and H.R. 6061 is a cost-effective response to the problem of illegal entries into the United States.

According to the Department of Homeland Security, about 730 miles of new fencing would be required by H.R. 6061. They say that it costs about \$4.4 million for a single layer of fencing per mile—but the bill calls for double-fencing, which costs more, and also for building all-weather roads in the middle. So, using a conservative estimate of \$9 million a mile, it would cost nearly \$6.6 billion to build the 730 mile fence called for in H.R. 6061.

I think it would be better from Congress to resist the temptation to micro-manage the Department of Homeland Security and instead to allow it the discretion to spend those billions of dollars on a variety of measures—fences in some places and other kinds of barriers in other places, plus other technology and increased border patrol manpower—that it decides, based on experience and expertise, will do the best job of securing the border.

And if those steps turned out to cost less than 730 miles of double fencing, the Department could put the rest of the money to good use.

For example, \$2 billion would pay for the 35,000 detention beds called for the Intelligence Reform and Terrorism Prevention Act of 2004 (the 9/11 Act) that are need to implement the ending of the so-called catch and re-

lease of illegal aliens apprehended after they cross the border. It would take only \$360 million to hire, train and equip 2,000 border patrol agents, while \$400 million, 250 more port-of-entry inspectors and 25 percent more canine detection teams could be added to the field. Or for \$400 million every U.S. port of entry could have a radiation portal monitor, so that all incoming cargo can be screened to detect nuclear or radiological material.

The three bills we will consider today are not perfect, but they are less problematical and I will vote for them.

H.R. 4830, the Border Tunnel Prevention Act would establish new criminal penalties for people involved with constructing illegal tunnels beneath our borders, including those who knowingly finance such actions, with particularly severe penalties for using such tunnels to smuggle illegal immigrants, drugs, weapons of mass destruction or other illegal goods into the United States. I strongly support this strengthening of current law.

H.R. 6094, called the Community Protection Act, like corresponding parts of the larger bill I supported last year, would allow for longer detentions of illegal aliens prior to deportation if they have refused to comply with deportation proceedings, pose a threat to community safety or public health, because they have a highly communicable disease, or if their release would threaten national security or have serious adverse consequences for American foreign policy. It includes provisions for periodic review of such detentions and affords these detained aliens an opportunity to seek reconsideration of their cases and to present evidence in support of their release. In addition, it would centralize judicial review of legal challenges to the detention of illegal immigrants—something that I think is of dubious value but not so bad as to outweigh the rest of the legislation.

Further, the bill would explicitly bar admission to the United States of members of criminal street gangs, allow the deportation of illegal aliens who belong to gangs convicted of threatening or attempting crimes, and requires that they be held in detention prior to deportation and makes criminal street gang members ineligible to receive asylum or temporary protected status. I strongly support these provisions, because criminal street gangs whose members include illegal aliens are a serious and growing problem in too many communities.

Finally—for today, at least—H.R. 6095, the Immigration Law Enforcement Act would establish new procedures to speed resolution of lawsuits brought against the Federal Government that are based on the implementation of immigration laws and require the Justice Department to hire more people to prosecute human smuggling cases.

It also includes language reaffirming the existing inherent authority of the States, their political subdivisions, such as counties or cities, and their law-enforce agencies to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens in the United States . . . for the purposes of assisting in the enforcement of the immigration laws of the United States in the course of carrying out routine duties. I find this acceptable because the bill says "Nothing in this section may be construed to require law enforcement personnel of a State or political subdivision of a State to—(1) report the identity of a victim of,

or a witness to, a criminal offense to the Secretary of Homeland Security for immigration enforcement purposes; or (2) arrest such victim or witness for a violation the immigration laws of the United States."

In other words, this is not a mandate and will not interfere with the ability or any state or local government to decide whether and how it will undertake to respond to question of immigration law and policy, matters which are essentially the responsibility of the federal government.

Mr. Speaker, nobody should think that passing these bills today—something I support—will come close to completing the work that Congress needs to do regarding immigration.

This plateful of slices is not even the full salami the House passed last year—a bill that, by itself, dealt with only part of the full menu of issues that must be addressed.

I voted for that bill because I think improving border security is absolutely necessary. But I am convinced it is not sufficient.

It does not address the most difficult and challenging aspect of immigration reform, namely the question of how to deal humanely and effectively with the millions of illegal immigrants currently living and working in this country or the difficulties that their employers including many Colorado companies that have contacted me—during the transition to a changed labor market that may follow revisions in current immigration laws.

As we all know, the Senate has passed what its supporters—including President Bush—say is intended to be a comprehensive immigration reform measure. We should follow their lead.

Following the Senate's lead does not mean simply accepting their bill as it stands. I think that would be a mistake, because I think that bill has defects that must be remedied. Instead, it means recognizing the full dimensions of the problems that must be addressed and the need to address them without unnecessary delay. It means appointing House conferees and directing them to meet with their counterparts from the other body to resolve differences and shape a final, comprehensive bill that addresses those problems in a way that is in the best interests of our country and the American people.

If that effort succeeds—as I think it can and am convinced it must—the result not only will be better than any of the bills before us today, it will be better than either the bill we passed last year or the bill that the Senate passed earlier this year and in fact will deserve to be sent to the President for signing into law.

Mr. FARR. Mr. Speaker, how long will the Republican Majority continue to bring to this House Floor piecemeal legislation that purports to fix the immigration crisis in our country?

H.R. 4830, H.R. 6094 and H.R. 6095 are not real reform. In fact, these bills are largely a repackaging of previously enacted bills dressed up to look like the Republicans are serious about immigration reform. Higher monetary and sentencing penalties, more enforcement and the usurping of due process are all tactics that have been tried throughout the years and have brought us to the situation we find ourselves today. The American people are being duped into thinking these three Republican bills will prevent illegal immigrants from entering our country. I cannot in good conscience vote for these three bills not because

I don't want to stop illegal immigration but because they are hollow authorizations without any funding to implement them. What we should be voting on and what I would support is the implementation of the 9/11 Commission immigration recommendations which I have voted for seven times in Committee or on the Floor. Those seven votes would have authorized and funded thousands of new immigration agents and detention beds. Instead we are voting to impose a HUGE unfunded mandate in our local law enforcement by deputizing them to be first line immigration officers. If the leadership in the House and Senate want real immigration reform, they need to fully fund all the immigration agents, detention officers as called for by the 9/11 Commission report.

I do not support illegal immigration and believe that anyone who enters the US in violation of U.S. immigration laws should be penalized. But our country is in need of an immigration policy that accounts for the fears 9/11 instilled, in addition to the hope that immigrants bring to our nation.

Immigration reform should include family reunification, asylum and refugee admissions, and employment-based immigration. It must be compassionate and humanitarian and strike the delicate balance between American jobs, border safety and national security interests. H.R. 4830, H.R. 6094, and H.R. 6095 do none of this.

I urge a "no" vote on these bills.

Mr. VAN HOLLEN. Mr. Speaker, I stand to explain my votes on the immigration bills that this Congress considered today.

I applaud our decision to pass the Border Tunnel Prevention Act (H.R. 4830), which would make it illegal for any person to build or finance a cross-border tunnel and for any person to use such a tunnel to smuggle drugs, weapons, or undocumented immigrants. These tunnels have become remarkably sophisticated ways for lawbreakers to enter our country, and I strongly support this bill to ban their construction and use. This is, at least, a small step to better border patrol.

But though we took one small step forward today, it is not enough. Instead of working on real reform, we passed the so-called "Community Protection Act" (H.R. 6094). This bill is not about protecting our community; it is about election-year scare tactics and fearmongering.

We need to fight crime and we need to deport criminals. But we can already do that. This bill does not deal with people who are in our country illegally. We can already deport individuals who are here illegally. Nor does this bill relate to non-U.S. citizens who are legally in the United States but commit a crime. We can already deport gang members and any foreign national who is convicted of a crime ranging from murder to shoplifting. This bill gives the Executive Branch unprecedented powers to deport legal immigrants who have not committed any crime. It gives the Attorney General of the United States the unprecedented power to declare any group a gang. And it gives the Department of Homeland Security the power to deport any non-citizen who is legally residing in the United States if they declare, without any due process, that such an individual is a member of those groups. This means the Department of Homeland Security can deport a legal immigrant who has obeyed all of our laws. This violates our First Amendment right of association and our Fifth Amendment right to be treated as individuals and not as guilty by association.

This bill also has an expedited removal process that severely curtails due process and could lead to erroneous removal of people who should not have been deported. This includes U.S. citizens who cannot provide proof of citizenship in the seven-day window, or someone abused or eligible for asylum who cannot build their case in time.

We all want to stop gang violence. It is an insidious problem in my district and in the districts of many of my colleagues. But we already have laws to deport criminals. We need to stop wasting time passing laws we don't need to deport people who aren't committing crimes and start working on real solutions to solve gang violence.

Unfortunately, it seems this Congress consistently passes laws that allow us to avoid real reform. The misnamed "Immigration Law Enforcement Act" (H.R. 6095) also passed today, is one such example. This bill should be renamed the "Pass the Buck for Immigration Law Enforcement Act." While it claims to simply "reaffirm" the authority of states to enforce immigration law, it actually distracts local law enforcement from their most important job—safeguarding our communities—and forces them to do the job that this Congress has repeatedly failed to do. We should enact real border security and comprehensive immigration reform; instead, we are passing the buck to our local communities and, without direction or funding, making them carry out complicated immigration enforcement. Enforcement of our immigration laws is a federal responsibility. Let's not shirk that responsibility. Let's not pretend this is someone else's problem.

The Montgomery County and Prince George's County Police in my district are opposed to this legislation. They do not have the time or the resources to handle the increased workload that immigration enforcement brings. It is not their job. It is the job of the federal government. And we need to do our job. If we abdicate our responsibility on vital issues, we are failing the American people. Moreover, it is irresponsible to make local police forces handle immigration without giving them any additional resources or any training in immigration law. Our police are already overburdened. We cannot ask them to do our job, too.

I want to be clear—I believe that we should have tougher enforcement of our immigration laws. But we need to do it in a way that makes sense. And it does not make sense to pass the buck to local communities. This is another unfunded mandate from a Congress that repeatedly fails to seriously address the important issues.

So today this Congress has approved a bill that creates a law we don't need to punish those who don't break the law and a bill that passes the buck to local law enforcement. When is Congress going to do the work we were elected to do? When are we going to pass real immigration reform and real security instead of superficial band-aid bills? It's time to stop playing politics, and to start protecting our borders.

The material previously referred to by Mr. McGOVERN is as follows:

PREVIOUS QUESTION ON H. RES. 1018, RULE FOR: H.R. 4830—BORDER TUNNEL PREVENTION ACT, H.R. 6094—COMMUNITY PROTECTION ACT, H.R. 6095—IMMIGRATION LAW ENFORCEMENT ACT

In the Section 3 of the resolution strike "and (2)" and insert the following:

“(2) the amendment printed in Section 4 of this resolution if offered by Representative Jackson Lee or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)”

At the end of the resolution add the following new section:

“Sec. 4. The amendment to H.R. 6095 referred to in Section 3 is as follows:

Insert the following in section 201(a):

“(2) Alien smuggling is a continuing threat to our nation's security, leaving the United States vulnerable to terrorist attacks.

(3) Alien smuggling continues to be a threat to the security of the United States because of the record of failure of the Republican House, Senate and Administration, including:

(A) Seven times over the last four and a half years, Democrats have offered amendments to enhance immigration enforcement resources, which would have enhanced efforts to combat alien smuggling. If these Democratic amendments had been adopted, there would be 14,000 more detention beds, and 2,700 more immigration agents along our borders than now exist. Each time, these efforts have been rejected by the Republican majority.

(B) In the 9/11 Act of 2004, the Republican Congress promised to provide 8,000 additional detention beds and 800 additional immigration agents per year from FY 2006 through FY 2010. Over the last two years, the Republican Congress has left our nation short 5,000 detention beds and nearly 500 immigration agents short of the promises they made in the Intelligence Reform (or 9/11) Act of 2004, to the detriment of efforts to combat alien smuggling.

(C) From 1993-2000, the Clinton Administration added, on average, 642 new immigration agents per year. Despite the fact that 9/11 highlighted the heightened need for these resources, in its first five years, the Bush Administration added, on average, only 411 new immigration agents, to the detriment of efforts to combat alien smuggling.

(4) Alien smuggling continues to be a threat to the security of the United States because of continuing inaction by the Republican congress, including the failure to go to Conference to resolve differences between competing immigration reforms, was valuable resources and time on a series of field hearings during the Congressional recess that excluded the input of local citizens and leaders, and engaging in political showmanship by using the last few days of the Congress to consider new immigration legislation when it has failed to complete work on immigration bills that have already passed the House and Senate.”

Insert the following after section 201(c):

“(d) ADDITIONAL RESOURCES TO PROTECT AGAINST ALIEN SMUGGLING BY IMPLEMENTING THE 9/11 COMMISSION ACT.—In each of fiscal years 2007-2010, there are authorized such sums as may be necessary to increase by 2000 the number of Immigration agents, by 250 the number of detention officers, by 250 the number of U.S. Marshals, by 25,000 the number of detention beds, by 1000 the number of investigators of fraudulent schemes and documents which violate sections 274a, 274c, 274d of Title 2, Chapter 8 of the Immigration and Nationality Act.”

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against or-

dering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 1018 will be followed by 5-minute votes as ordered on adopting the resolution, and suspending the rules and passing S. 418.

The vote was taken by electronic device, and there were—yeas 225, nays 195, not voting 12, as follows:

[Roll No. 461]

YEAS—225

Aderholt	Galleghy	Moran (KS)
Akin	Garrett (NJ)	Murphy
Alexander	Gerlach	Musgrave
Bachus	Gibbons	Myrick
Baker	Gilchrest	Neugebauer
Barrett (SC)	Gillmor	Northup
Bartlett (MD)	Gingrey	Norwood
Barton (TX)	Goode	Nunes
Bass	Goodlatte	Nussle
Beauprez	Granger	Osborne
Biggert	Graves	Otter
Bilbray	Green (WI)	Oxley
Billirakis	Gutknecht	Paul
Bishop (UT)	Hall	Pearce
Blackburn	Hart	Pence
Blunt	Hastings (WA)	Peterson (PA)
Boehrlert	Hayes	Petri
Boehner	Hayworth	Pickering
Bonilla	Hefley	Pitts
Bonner	Hensarling	Platts
Bono	Herger	Poe
Boozman	Hobson	Pombo
Boustany	Hoekstra	Porter
Bradley (NH)	Hostettler	Price (GA)
Brady (TX)	Hulshof	Pryce (OH)
Brown (SC)	Hunter	Putnam
Brown-Waite,	Hyde	Radanovich
Ginny	Inglis (SC)	Ramstad
Burgess	Issa	Regula
Burton (IN)	Istook	Rehberg
Buyer	Jenkins	Reichert
Calvert	Jindal	Renzi
Camp (MI)	Johnson (CT)	Reynolds
Campbell (CA)	Johnson (IL)	Rogers (AL)
Cannon	Johnson, Sam	Rogers (KY)
Cantor	Jones (NC)	Rogers (MI)
Capito	Keller	Rohrabacher
Carter	Kelly	Ros-Lehtinen
Castle	Kennedy (MN)	Royce
Chabot	King (IA)	Ryan (WI)
Chocoma	King (NY)	Ryun (KS)
Coble	Kingston	Saxton
Cole (OK)	Klaine	Schmidt
Conaway	Knollenberg	Schwarz (MI)
Crenshaw	Kolbe	Sensenbrenner
Culberson	Kuhl (NY)	Sessions
Davis (KY)	LaHood	Shadegg
Davis, Jo Ann	Latham	Shaw
Davis, Tom	LaTourette	Shays
Deal (GA)	Leach	Sherwood
Dent	Lewis (CA)	Shimkus
Diaz-Balart, L.	Lewis (KY)	Shuster
Diaz-Balart, M.	Linder	Simmons
Doolittle	LoBiondo	Simpson
Drake	Lucas	Smith (NJ)
Dreier	Lungren, Daniel	Smith (TX)
Duncan	E.	Soderl
Ehlers	Mack	Souder
Emerson	Manzullo	Stearns
English (PA)	Marchant	Sullivan
Everett	McCauley (TX)	Sweeney
Feeney	McCotter	Tancred
Ferguson	McCrery	Taylor (NC)
Fitzpatrick (PA)	McHenry	Terry
Flake	McHugh	Thomas
Foley	McKeon	Thornberry
Forbes	McMorris	Tiahrt
Fortenberry	Rodgers	Tiberi
Fossella	Mica	Turner
Fox	Miller (FL)	Upton
Franks (AZ)	Miller (MI)	Walden (OR)
Frelinghuysen	Miller, Gary	Walsh

Wamp	Westmoreland	Wilson (SC)
Weldon (FL)	Whitfield	Wolf
Weldon (PA)	Wicker	Young (AK)
Weller	Wilson (NM)	Young (FL)

NAYS—195

Abercrombie	Green, Gene	Oberstar
Ackerman	Grijalva	Obey
Allen	Gutierrez	Oliver
Andrews	Harman	Ortiz
Baca	Hastings (FL)	Owens
Baird	Herse	Pallone
Baldwin	Higgins	Pascrell
Barrow	Hinche	Pastor
Bean	Hinojosa	Payne
Becerra	Holden	Pelosi
Berkley	Holt	Peterson (MN)
Berman	Honda	Pomeroy
Berry	Hooley	Price (NC)
Bishop (GA)	Hoyer	Rahall
Bishop (NY)	Inslee	Rangel
Blumenauer	Israel	Reyes
Boren	Jackson (IL)	Ross
Boswell	Jackson-Lee	Rothman
Boucher	(TX)	Roybal-Allard
Boyd	Jefferson	Ruppersberger
Brady (PA)	Johnson, E. B.	Rush
Brown, Corrine	Jones (OH)	Sabo
Butterfield	Kanjorski	Salazar
Capps	Kaptur	Sánchez, Linda
Cardin	Kennedy (RI)	T.
Cardoza	Kildee	Sanchez, Loretta
Carnahan	Kilpatrick (MI)	Sanders
Carson	Kind	Schakowsky
Chandler	Kucinich	Schiff
Clay	Langevin	Schwartz (PA)
Cleaver	Lantos	Scott (GA)
Clyburn	Larsen (WA)	Scott (VA)
Conyers	Larson (CT)	Serrano
Cooper	Lee	Sherman
Costa	Levin	Skelton
Costello	Lewis (GA)	Slaughter
Cramer	Lipinski	Smith (WA)
Crowley	Lofgren, Zoe	Snyder
Cuellar	Lowey	Solis
Cummings	Lynch	Spratt
Davis (AL)	Maloney	Stark
Davis (CA)	Markey	Stupak
Davis (FL)	Marshall	Tanner
Davis (IL)	Matheson	Tauscher
Davis (TN)	Matsui	Taylor (MS)
DeFazio	McCarthy	Thompson (CA)
DeGette	McCollum (MN)	Thompson (MS)
Delahunt	McDermott	Tierney
DeLauro	McGovern	Towns
Dicks	McIntyre	Udall (CO)
Dingell	McKinney	Udall (NM)
Doggett	McNulty	Van Hollen
Doyle	Meek (FL)	Velázquez
Edwards	Meeks (NY)	Visclosky
Emanuel	Melancon	Wasserman
Engel	Michaud	Schultz
Eshoo	Millender-	
Etheridge	McDonald	
Evans	Miller (NC)	
Farr	Miller, George	
Fattah	Mollohan	
Filner	Moore (WI)	
Ford	Moran (VA)	
Frank (MA)	Murtha	
Gonzalez	Nadler	
Gordon	Napolitano	
Green, Al	Neal (MA)	

NOT VOTING—12

Brown (OH)	Gohmert	Moore (KS)
Capuano	Harris	Ney
Case	Kirk	Ryan (OH)
Cubin	Meehan	Strickland

□ 1145

Messrs. OBEY, HOLDEN, GEORGE MILLER of California, DICKS and HOLT changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. KIRK. Mr. Speaker, on rollcall No. 461 I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 195, not voting 10, as follows:

[Roll No. 462]

AYES—227

Aderholt	Gilchrest	Nussle
Akin	Gillmor	Osborne
Alexander	Gingrey	Otter
Bachus	Gohmert	Oxley
Baker	Goode	Paul
Barrett (SC)	Goodlatte	Pearce
Barrow	Granger	Pence
Bartlett (MD)	Graves	Peterson (PA)
Barton (TX)	Green (WI)	Petri
Bass	Gutknecht	Pickering
Beauprez	Hall	Pitts
Biggart	Hart	Platts
Bilbray	Hastings (WA)	Poe
Bilirakis	Hayes	Pombo
Bishop (UT)	Hayworth	Porter
Blackburn	Hefley	Price (GA)
Blunt	Hensarling	Pryce (OH)
Boehlert	Herger	Putnam
Boehner	Hobson	Radanovich
Bonilla	Hoekstra	Ramstad
Bonner	Hostettler	Regula
Bono	Hulshof	Rehberg
Boozman	Hunter	Reichert
Boustany	Hyde	Renzi
Bradley (NH)	Inglis (SC)	Reynolds
Brady (TX)	Issa	Rogers (AL)
Brown (SC)	Istook	Rogers (KY)
Brown-Waite,	Jenkins	Rogers (MI)
Ginny	Jindal	Rohrabacher
Burgess	Johnson (CT)	Ros-Lehtinen
Burton (IN)	Johnson (IL)	Royce
Buyer	Johnson, Sam	Ryan (WI)
Calvert	Jones (NC)	Ryun (KS)
Camp (MI)	Keller	Saxton
Campbell (CA)	Kelly	Schmidt
Cannon	Kennedy (MN)	Schwarz (MI)
Cantor	King (IA)	Sensenbrenner
Capito	King (NY)	Sessions
Carter	Kingston	Shadegg
Castle	Kirk	Shaw
Chabot	Kline	Shays
Chocola	Knollenberg	Sherwood
Coble	Kuhl (NY)	Shimkus
Cole (OK)	LaHood	Shuster
Conaway	LaTham	Simmons
Crenshaw	LaTourette	Simpson
Culberson	Leach	Smith (NJ)
Davis (KY)	Lewis (CA)	Smith (TX)
Davis, Jo Ann	Lewis (KY)	Sodrel
Davis, Tom	Linder	Souder
Deal (GA)	LoBiondo	Stearns
Dent	Lucas	Sullivan
Diaz-Balart, L.	Lungren, Daniel	Sweeney
Diaz-Balart, M.	E.	Tancredo
Doolittle	Mack	Taylor (NC)
Drake	Manzullo	Terry
Dreier	Marchant	Thomas
Duncan	McCaul (TX)	Thornberry
Ehlers	McCotter	Tiahrt
Emerson	McCrery	Tiberi
English (PA)	McHenry	Turner
Everett	McHugh	Upton
Feeney	McKeon	Walden (OR)
Ferguson	McMorris	Walsh
Fitzpatrick (PA)	Rodgers	Wamp
Flake	Mica	Weldon (FL)
Foley	Miller (FL)	Weldon (PA)
Forbes	Miller (MI)	Weller
Fortenberry	Miller, Gary	Westmoreland
Fossella	Moran (KS)	Whitfield
Fox	Murphy	Wicker
Franks (AZ)	Musgrave	Wilson (NM)
Frelinghuysen	Myrick	Wilson (SC)
Galle	Neugebauer	Wolf
Garrett (NJ)	Northup	Young (AK)
Gerlach	Norwood	Young (FL)
Gibbons	Nunes	

NOES—195

Abercrombie	Grijalva	Oberstar
Ackerman	Gutierrez	Obey
Allen	Harman	Oliver
Andrews	Hastings (FL)	Ortiz
Baca	Herse	Owens
Baird	Higgins	Pallone
Baldwin	Hinche	Pascrell
Bean	Hinojosa	Pastor
Becerra	Holden	Payne
Berkley	Holt	Pelosi
Berman	Honda	Peterson (MN)
Berry	Hooley	Pomeroy
Bishop (GA)	Hoyer	Price (NC)
Bishop (NY)	Inslee	Rahall
Blumenauer	Israel	Rangel
Boren	Jackson (IL)	Reyes
Boswell	Jackson-Lee	Ross
Boucher	(TX)	Rothman
Boyd	Jefferson	Roybal-Allard
Brady (PA)	Johnson, E. B.	Ruppersberger
Brown, Corrine	Jones (OH)	Rush
Butterfield	Kanjorski	Sabo
Capps	Kaptur	Salazar
Cardin	Kennedy (RI)	Sánchez, Linda
Cardoza	Kildee	T.
Carnahan	Kilpatrick (MI)	Sanchez, Loretta
Carson	Kind	Sanders
Chandler	Kolbe	Schakowsky
Clay	Kucinich	Schiff
Cleaver	Langevin	Schwartz (PA)
Clyburn	Lantos	Scott (GA)
Conyers	Larsen (WA)	Scott (VA)
Cooper	Larson (CT)	Serrano
Costa	Lee	Sherman
Costello	Levin	Skelton
Cramer	Lewis (GA)	Slaughter
Crowley	Lipinski	Smith (WA)
Cuellar	Lofgren, Zoe	Snyder
Cummings	Lowey	Solis
Davis (AL)	Lynch	Spratt
Davis (CA)	Maloney	Stark
Davis (FL)	Markey	Stupak
Davis (IL)	Marshall	Tanner
Davis (TN)	Matheson	Tauscher
DeFazio	Matsui	Taylor (MS)
DeGette	McCarthy	Thompson (CA)
Delahunt	McCollum (MN)	Thompson (MS)
DeLauro	McDermott	Tierney
Dicks	McGovern	Towns
Dingell	McIntyre	Udall (CO)
Doggett	McKinney	Udall (NM)
Doyle	McNulty	Van Hollen
Edwards	Meek (FL)	Velázquez
Emanuel	Meeks (NY)	Visclosky
Engel	Melancon	Wasserman
Eshoo	Michaud	Schultz
Etheridge	Millender-	
Evans	McDonald	
Farr	Miller (NC)	
Fattah	Miller, George	
Filner	Mollohan	
Ford	Moore (WI)	
Frank (MA)	Moran (VA)	
Gonzalez	Murtha	
Gordon	Nadler	
Green, Al	Napolitano	
Green, Gene	Neal (MA)	

NOT VOTING—10

Brown (OH)	Harris	Ryan (OH)
Capuano	Meehan	Strickland
Case	Moore (KS)	
Cubin	Ney	

□ 1154

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MILITARY PERSONNEL FINANCIAL SERVICES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 418.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr.